



# भारत का राजपत्र

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No. 8] NEW DELHI, SATURDAY, FEBRUARY 19, 1966 (MAGHA 30, 1887)

इस भाग में निम्न पृष्ठ संलग्न वी जाती है जिससे कि यह अस्तग संकलन के रूप में रखा जा सके

Separate paging is given to this Part in order that it may be filed as a separate compilation

## भाग III—संख्या 3

## PART III—SECTION 3

लघु प्रशासनों से संबंधित अधिसूचनाएं

## Notifications relating to Minor Administrations

## GOVT. OF GOA, DAMAN &amp; DIU

## Finance Department

Panjim, the 2nd February 1966

No. FD/F.III/2-35/part/3053/66—In exercise of the powers conferred by Section 22 of the Goa, Daman and Diu Excise Duty Act, 1964, the Government hereby makes the following amendment to the Goa, Daman and Diu Excise Duty Rules, 1964.

1. (i) These Rules may be called the Goa, Daman and Diu Excise Duty (Second) Amendment Rules, 1966.
- (ii) They shall come in force on the 1st January, 1966.

## 2. In Rule 84—

After the words .

"The licensed manufacturer shall dispose of the liquor stored in the warehouse before the end of December of the year for which the licence has been granted".

and before the words :—

"unless he obtains licence or permit for sale or possession as the case may be"—

the following words shall be inserted :

"or within such time as may be prescribed by the Government".

The 7th February 1966

No. FD/F.III/11-157/part/3113/66—In exercise of the powers conferred by Sections 74 and 75 of the Indian Stamp Act as extended to the Union Territory of Goa, Daman and Diu and all other powers enabling him in that behalf, the Lieutenant Governor of Goa, Daman and Diu hereby makes the following amendment to the Indian Stamp Rules, 1925 as in force in the said Union Territory :—

In Rule 10 of the Indian Stamp Rules in sub-clause (ii) after the words "if the language is not English", the words "and is not known to the proper officer" shall be added.

By order and in the name of the Administrator of Goa, Daman & Diu.

V. S. SRINIVASAGOPALAN  
Dy. Secretary (Finance)

## UNION TERRITORY OF DADRA AND NAGAR HAVELI

## Probate Valuation Rules, 1965

Silvassa, the 31st December 1965

No. ADM/LAW/11(21)—In exercise of the powers conferred by sub-section (8) of section 19-H of the Court Fees Act, 1870 (No. VII of 1870) read with Government of India, Ministry of Home Affairs' Notification No. F. 10/6/65-UTL-(i) dated 2nd June 1965, in its application to the Union Territory of Dadra and Nagar Haveli, the Administrator, Dadra and Nagar Haveli is pleased to make the following rules, namely :—

1. These rules may be called the Union Territory of Dadra and Nagar Haveli Probate Valuation Rules 1965.
2. In these Rules :—
  - (a) "Act" means the Court-fee Act 1870, in its application to the Union Territory of Dadra and Nagar Haveli;
  - (b) "Petitioner" means a person who has applied to the Court for the grant of the probate of a will or letters of Administration;
  - (c) "Property" means movable and immovable property of the deceased; "Section" means a section of the Act;
  - (d) "Schedule" means the schedule of assets attached to the application for the grant of probate or letter of Administration as required by section 19-I of the Act.
3. On receipt of a notice of an application for probate or letters of Administration from the High Court under sub-section (2) of section 19-H, the Chief Controlling Revenue Authority may intimate to the Collector within the local limits of whose jurisdiction the property of the deceased is situate that he has received such notice.
4. On receipt of the notice from the Court under sub-section (1) of section 19-H or on receipt of an intimation from the Chief Controlling Revenue Authority under Rule 3, the Collector shall at once proceed with the verification of the valuation of the property as specified in the Schedule.
5. If the Collector has not received a copy of the Schedule along with the notice or information he shall obtain such copy from the Court or the Chief Controlling Revenue Authority, as the case may be.

6. If the estate of the deceased includes properties situated in several districts the Collector shall send a copy of the Schedule to the Collector within the limits of whose revenue jurisdiction any part of the estate is situated and obtain from him a report of the valuation of that part.

7. The Collector may require the petitioner to furnish a detailed statement of valuation of the business assets of the deceased or of the share of the deceased in the business or partnership firm.

8. The Collector may require the petitioner to produce any writing or document in regard to the share of the deceased in the business or firm and also to furnish a separate valuation of the assets, stock in trade, goodwill, outstandings due to the deceased and any other item relating to the business or firm.

9. The Collector may require the petitioner to produce for inspection, account books, cash books, profit and loss statements, statements showing payment of taxes on income and to furnish true copies of extracts therefrom, if required for the purpose of ascertaining the correctness of the valuation.

10. The Collector may require the petitioner to produce a list of ornaments, jewellery and any other valuable articles mentioned in the Schedule together with a detailed statement of their valuation.

11. The Collector may require the petitioner to produce evidence by an expert valuer or any person deemed fit by the Collector, to satisfy him about the valuation made by the petitioner.

12. If any valuable articles are lodged in a safe deposit vault or deposited in any other place for safe custody, the Collector may require the petitioner to furnish a list thereof with their detailed valuation.

13. The Collector may require the petitioner to produce detailed information in respect of rent, profits, dividends, debts and other dues to be recovered.

14. The Collector may ascertain the basis on which the value of the property is assessed and for this purpose he may require the production of account books, profit and loss account, registers or any other documents which in his opinion are necessary in arriving at the correct valuation of the estate of the deceased.

15. If the petitioner fails to produce any evidence of documents or furnish any statement or information as required by the Collector under any of the foregoing rules, the Collector shall proceed with the valuation of the property on the date available to him without delay.

16. Whenever it is ascertainable the valuation of the property shall be based by the Collector on the market value thereof prevailing on the date on which an application for probate or letters of Administration is made.

17. If after examining the valuation of the property in accordance with the foregoing rules the Collector finds that the value of the property has been under estimated, he may require the attendance of the petitioner (either in person or by agent) and take such evidence and inquire into the matter in such manner as he may think fit.

18. The services of the Secretary to the Administrator or the Mamladar or any subordinate revenue officer or any other officer of P.W.D. may be utilised by the Collector in obtaining such information as may be necessary to determine whether an inquiry under rule 17 should be held by him.

19. The Collector shall complete the inquiry about the valuation of the property under these rules within a period of four months from the date of the receipt of the notice from the Court or the intimation from the Chief Controlling Revenue Authority, as the case may be. If the proceedings are delayed on any account he shall report periodically to the Chief Controlling Revenue Authority or the Court, as the case may be, till the valuation work is complete.

20. If after an inquiry under these rules the Collector has asked the petitioner to amend the valuation, the Collector shall at once communicate his action to the Court with a request to intimate to him whether the amendment has been made or not.

21. If the valuation is amended as required by the Collector but the additional fee is not paid to the Court or tendered to the Collector, the Collector shall report the case to the Chief Controlling Revenue Authority for an order under section 19-G.

22. A register in form "A" appended to these rules shall be kept in every Collector's office.

#### FORM—A

(See rule 22)

Register of notices of application for probate and letter of Administration.

1. Serial No.
2. Date of receipt of notice from the Court.
3. Date of receipt of intimation from the Chief Controlling Revenue Authority under rule 3.
4. Name of the deceased.
5. Name and residence of the petitioner for probate or letter of Administration.
6. Valuation shown by the petitioner.
7. Valuation by the Collector.
8. Valuation made by the Court under section 19-A(5).
9. Amount of Court-fee originally paid.
10. Court-fee finally assessed.
11. Amount of additional Court-fee required.
12. Date of realisation of additional fee.
13. Remarks.

#### RULES FOR REGULATING THE NUMBER OF STAMPS TO BE USED FOR DENOTING COURT FEES

No. ADM/LAW/11(21)(i)—In exercise of the powers conferred by section 27(b) of the Court Fees Act, 1870 (No. VII of 1870), read with Government of India, Ministry of Home Affairs' Notification No. F.10/6/65-UTL(1) dated 2nd June 1965, the Administrator, Dadra and Nagar Haveli is pleased to make the following rules for regulating the number of stamps to be used for denoting any fee chargeable under the said Act namely :—

1. When in the case of fees amounting to less than Rs. 25, the amount can be denoted by a single adhesive stamp, such fee shall be denoted by a single adhesive stamp of the required value. But, if the amount cannot be denoted by a single adhesive stamp or if a single adhesive stamp of the required value is not available the next lower value available shall be used, and the deficiency shall be made up by the use of one or more additional adhesive stamps of the next lower value, which may be required to make up the exact amount of the fee.

2. When in the case of fees amounting to or exceeding Rs. 25/- the amount can be denoted by a single impressed stamp, the fee shall be denoted by a single impressed stamp of the required value. But if the amount cannot be denoted by a single impressed stamp, or if a single impressed stamp of the required value is not available an impressed stamp of the next lower value available shall be used, and the deficiency shall be made up by the use of one or more additional impressed stamps of the next lower value available which may be required to make up the exact amount of the fee in combination with the adhesive stamps to make up fractions of less than Rs. 25.

3. Any adhesive stamp which may be used under rule 2, shall be affixed to the impressed stamp of the highest value employed in denoting the fee.

4. Notwithstanding anything herein contained impressed court fee stamped papers of the value of Rs. 10, 15, and 20 may be used to denote the fees chargeable under the said Act until such use is prohibited by a notification issued in this behalf under the said section.

When two or more impressed stamps are used to make up the amount of the fee chargeable under the Court Fees Act, a portion of the subject matter shall ordinarily be written on each stamped sheet. Where this is impracticable or seriously inconvenient, the document shall be written on one or more sheets bearing impressed stamps of the highest value and the remaining stamps shall be punched and cancelled by the court and filed with record, a certificate being recorded by the court on the face of the first sheet of the document to the effect that the full court fee has been paid in stamps. The writing on each stamped sheet shall be attested by the signature of the person executing the document.

#### RULES REGULATING THE RENEWAL OF DAMAGED OR SPOILED COURT-FEE STAMPS

No. ADM/LAW/11(21)(ii)—In exercise of the powers conferred by clause (c) of section 27 of the Court Fees Act, 1870 (VII of 1870), read with Government of India, Ministry of Home Affairs' Notification No. F. 10/6/65-UTL (i) dated 2nd June 1965, the Adminis-

trator, Dadra and Nagar Haveli is pleased to make the following rules regulating the renewal of damaged or spoiled Court-fee Stamps namely :—

(1) A Court-fee Stamp shall be deemed to be damaged or spoiled if—

- (a) by an accident happening to the same it is rendered spoiled and unfit for use;
- (b) because of some error in the drawing or copying of any writing upon it, or to which it is affixed, the writing is rendered of no avail;
- (c) by reason of death or from any other cause, a transaction which is intended to be effected by a writing duly stamped with the proper fee is not completed and the writing becomes of no avail;
- (d) the transaction intended by such writing to be effected has been effected by some other instrument on which the proper fee has been paid;
- (e) from any error or informality in the drawing up or in the signing of any writing on which the proper Court-fee stamps has been duly affixed and cancelled by any officer of any Judicial or Magisterial Court, or any public officer duly appointed to perform the same, the writing is returned or rejected by the Court or public office to which it was sent or addressed, and the stamp has thereby become unfit for use.

*Explanation* :—When an impressed stamp and an adhesive stamp are used in combination in accordance with any rules for the time being in force and either of them is damaged or spoiled in any manner specified in this rule, the other stamp may also, at the option of the applicant be deemed to have been damaged or spoiled.

(2) An application for the renewal of damaged, or spoiled Court-fee Stamps shall be made—

in the Union Territory of Dadra and Nagar Haveli to the Collector or to the Mawla'dar as the case may be.

(3) Any person desiring to have any stamp, which has been damaged or spoiled, renewed may make an application for the purpose to the officer specified in rule 2. Such application shall be made within six months from the date on which such stamp was damaged or spoiled. On receipt of such application, the officer shall, if satisfied that the stamp has been damaged or spoiled, cancel such stamp and supply to the applicant at his option in lieu thereof one or more stamps equal in aggregate value to the damaged or spoiled stamp.

(4) Notwithstanding anything contained in rule 3, in this territory the Collector may, for any special reason, entertain any application for the renewal of any damaged or spoiled stamp within one year from the date on which such stamp was damaged or spoiled.

(5) The officer, to whom an application is made under rule 3 or 4 may require the applicant to make an oral deposition on oath or affirmation, or to file an affidavit, setting forth the circumstances under which the claim has arisen, and may also, if such officer thinks fit, call for the evidence of witness in support of the statement set forth in any such deposition or affidavit.

(6) When on application for the renewal of any damaged or spoiled stamp an order is passed sanctioning the renewal or calling for further evidence in support of the application, then if the stamp given in lieu thereof is not taken, or if such further evidence is not furnished, by the applicant within one year from the date of such order, the application shall be struck off.

(7) All damaged or spoiled stamps cancelled under rule 3, or in respect of which further evidence is not furnished as required under rule 6, shall be forwarded for destruction, to the Superintendent of Stamps, Union Territory of Dadra and Nagar Haveli.

(8). These rules shall not apply to stamps used in the High Court.

#### ADDITIONAL COURT FEE PAYABLE ON PROBATES AND LETTERS OF ADMINISTRATION TO BE DENOTED BY IMPRESSED OR ADHESIVE STAMPS

No. ADM/LAW/11(21)(iii)—In exercise of the powers conferred by section 26 of the Court Fees Act, 1870 (No. VII of 1870) read with Government of India, Ministry of Home Affairs' Notification No. F.10/6/65-UTL(i) dated 2nd June 1965, the Administrator, Dadra and Nagar Haveli directs that the additional Court

Fee payable under section 19(E) of the said Act on Probates and letter of Administration shall be denoted either :—

- (a) by impressed and adhesive stamps; or
- (b) wholly by adhesive stamps.

#### ADHESIVE STAMPS TO BE USED FOR DENOTING COURT FEE AMOUNTING TO LESS THAN RS. 25 AND IMPRESSED STAMPS FOR DENOTING COURT FEES AMOUNTING TO OR EXCEEDING RS. 25

No. ADM/LAW/11(21)(iv)—In exercise of the powers conferred by section 26 of the Court Fees Act, 1870 (No. VII of 1870), read with Government of India, Ministry of Home Affairs' Notification No. F.10/6/65-UTL(i) dated 2nd June 1965, the Administrator, Dadra and Nagar Haveli is pleased to issue the following directions in regard to the stamps used to denote the fees chargeable under the said Act, namely :—

1. When in any case the fee chargeable under the said Act is less than Rs. 25, such fee shall, subject to the directions contained in paragraph 4 below, be denoted by adhesive stamp only. Such adhesive stamp shall, either be adhesive stamps bearing the words "Court Fees" at present in use, or adhesive stamps of any different shape, size or pattern bearing, the words "Court Fees" which may hereafter be issued for use in supersession of, or in addition to, adhesive stamps now in use.

2. When in case the fee chargeable under the said Act amounts to or exceeds Rs. 25, such fee shall be denoted by impressed stamps bearing the words "Court Fees" adhesive stamps being only employed to make up fraction of less than Rs. 25.

3. If in any case the amount of the fee chargeable under the said Act involves a fraction of Five paise such fraction shall be remitted.

4. This notification shall take effect on and after the 1st of July 1965 Court-fee stamped papers of the value of Rs. 10, 15, and 20 may, however, be used to denote the fees chargeable under the said Act until such use is prohibited by a notification issued in this behalf under the said section.

#### RULES REGULATING THE SUPPLY, NUMBER AND RENEWAL OF STAMPS

No. ADM/LAW/11(21)(v)—The following rules made by the Administrator, Dadra and Nagar Haveli under section 27 of the Act VII of 1870, read with Government of India, Ministry of Home Affairs' Notification No. F.10/6/65-UTL(i) dated 2nd June 1965, for the purpose of regulating :—

1. the supply of stamps to be used under the Act;
2. the number of stamps to be used for denoting any fee chargeable under the Act;
3. the renewal of damaged or spoiled stamps;
4. the keeping of accounts of all stamps used under the Act;

are published for general information. They shall take effect from the date of their publication.

1. Accounts of issues and sales of Court-fee stamps shall be kept at every Central Depot in such form as may be required by the Administrator of the Union Territory of Dadra and Nagar Haveli.

2. Each Sub-Depot shall render to the Central Depot to which it is subordinate a monthly return in Form C showing the opening balance, the amount of stamps received, the total amount of stamps sold and the amount of stamps in hand. Each of these items except the last should be tested at the Central Depot; and the amount of stamps in hand should be certified by the head of the office.

3. The proceeds of sales at Sub-Depot shall be credited to the treasury as realised, and incorporated each month in the receipts of the Central Depot, as if they had been there realized.

4. In order that there may be no discrepancies between the returns rendered by the Collector to the Superintendent of Stamps and the actual receipts accruing from the sale of Court-fee Stamps in any month, the account and returns of these stamps kept in the Sub-Depot shall be closed on the dates fixed for the closing of Revenue Monthly Accounts in the Taluka and the proceedings of the remaining day in the month shall be shown in the accounts and returns of the succeeding month as is done in the case of Revenue Accounts.

5. Each Central Depot shall incorporate with its own returns of sales and balance, the sales and balances at the Sub-Depot subordinate to it in the same way as if the stamps sold and balances retained at the Central Depot itself.

6. The Superintendent of Stamps, shall keep an account of all receipts and issues of Court-fee Stamps in the form now in use or in any other form which may be prescribed by the Administrator of the Union Territory of Dadra and Nagar Haveli.

7. A monthly return of stamps issued to and returned from Central Depot shall be furnished by the Superintendent of Stamps to the Accountant General.

No. ADM/LAW/11(21)(vi)—In exercise of the powers conferred by section 35 of the Court Fees Act, 1870 (Act VII of 1870) read with Government of India, Ministry of Home Affairs' Notification No. F.10/6/65-UTL(i) dated 2nd June 1965, in its application to the Union Territory of Dadra and Nagar Haveli, the Administrator, Dadra and Nagar Haveli hereby remits the fees payable by members of such castes, races or tribes, or parts of, or groups within, castes, races or tribes as are deemed to be scheduled Caste in relation to the Union Territory of Dadra and Nagar Haveli under Article 341 of the Constitution of India in respect of documents of any of the kinds specified in the first or second schedule to the said Act, to be filed, extended or recorded in any Civil or Criminal Court, Revenue Courts and Revenue officers, until further orders.

No. ADM/LAW/11(21)(vii)—In exercise of the powers conferred by section 35 of the Court Fees Act, 1870 (Act VII of 1870) read with the Government of India, Ministry of Home Affairs' Notification No. F.10/6/65-UTL(i) dated 2nd June 1965, in its application to the Union Territory of Dadra and Nagar Haveli, the Administrator, Dadra and Nagar Haveli, hereby remits the fees payable by members of such tribes or tribal communities or parts of, or groups within such tribes or tribal communities as are deemed to be schedule tribes in relation to the Union Territory of Dadra and Nagar Haveli under Article 342 of the Constitution of India in respect of documents of any of the kinds specified in the first or second schedule to the said Act, to be filed, extended or recorded in any Civil or Criminal Court, Revenue Courts and Revenue officers, until further orders.

K. R. DAMLE  
Administrator  
Dadra and Nagar Haveli, Silvassa

### OFFICE OF THE ADMINISTRATOR, DADRA AND NAGAR HAVELI

Silvassa, the 10th February 1966

Read.—

(i) Orders contained in order No. ADM/SUP/PPS dated 9th January, 1965 viz. The Dadra and Nagar Haveli Paddy (Maximum Price) Order, 1965.

(ii) Orders contained in order No. ADM/SUP/1218(65) dated 12th November, 1965 viz. The Dadra and Nagar Haveli Paddy Procurement Order, 1965.

(iii) Govt. of India, Ministry of Food & Agriculture (Dept. of Food) letter No. 179(4)/65-PY.I, dt. 25-1-66, approving purchase price of paddy.

### ORDER

No. ADM/SUP/1218(65)(II) 265(66)—In supersession of the order referred to at preamble (i) and in partial modification of the above referred to at preamble (ii), the Collector, Dadra and Nagar Haveli is hereby pleased to order that the price at which each of the varieties of paddy specified in column 1 of the schedule appended hereto may be bought or sold at any place in the Union Territory of Dadra and Nagar Haveli shall not exceed the amount specified against it in column 2 of the said Schedule.

### SCHEDULE

Variety of Paddy	Amount per Quintal
(1)	(2)
1. Kavchi	
2. Kada	
3. Khadsi	
4. Dangi	
5. Kala-Vangol	Rs. 45/- (Rs. forty-five)
6. Vankvel	
7. Khusboi or Bangala	Rs. 50/- (Rs. fifty)
8. Kolam	Rs. 55/- (Rs. fifty-five)
9. K-42.	
10. Z-31	Rs. 60/- (Rs. sixty)
11. Nawabi Kolam	
12. Bangala	Rs. 63—75 (Rs. sixty-three paise seventy-five)

H. K. KHAN  
Collector  
Dadra and Nagar Haveli, Silvassa